UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,492	02/01/2000	Charles Albin Hanson	UN16-B157/04M1093	4935

7590   08/16/2002

UNISYS CORPORATION
M.S. 4773
P.O. BOX 64942
ST PAUL, MN 55164-0942

EXAMINER
ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 08/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 June 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

Response to Amendment

1.   Claims 1-28 are pending in the present application.

2.   Claims 1, 5, 6, 7, and 25 have been amended.

3.   **Swanson** was cited as prior art in the last office action.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and
> distinctly claiming the subject matter which the applicant regards as his invention.

5.   Claims 1-12, 25 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Regarding claim 1, the following limitation is vague and lacks proper antecedent basis:

"said device" [see claim 1 line 3, 7, and 12-13; also note claim 25 line 8 and 14].

Claims 2-12 are rejected based on dependency.

Regarding claim 26 the following limitation is unclear with respect to its base claims:

"wherein said user selection is achieved by a point and touch operation executed on the graphical interface display" [note claim 26]. Note this limitation is noted in claim 23, the connection is unclear. Is claim 26 suppose to depend on claim 25?

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7.   Claims 1, 3-22, 25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swanson US Patent 5,603,034. in view of Jawahar et al. US Patent 6,256,620 B1.

Regarding claim 1, **Swanson** teaches a method for executing methods upon data objects

distributed across a plurality of nodes of a system from a special device [figure 1] comprising the

steps of:

providing a first graphical interface display on said device permitting user selection of a

data object category, selection of such category resulting in display

of a list of data objects available on the system [note: "*resource category selection object*

including a list of selectable resource category objects" abstract];

responding to selection of a first of the data objects present in said list

to generate a second graphical interface display on said device of at least a portion of

the contents of said first of the data objects together with a display of a plurality of

selectable regions, each of said regions representing a first method executable on said

first data object [col. 3 line 49 through col. 4 line 4; col. 10 lines 40-67]; and

responding to selection of one of said methods to execute that method

upon the first data object and to display a first result of such execution on said device [col. 11

lines 4-8; col. 5 line 58 through col. 6 line 34].

Swanson teaches a graphical resource editor for selectively modifying graphical resources

in software applications. The system permits user selection of a resource category object. A list of

selectable resource category objects is taught. The graphical resource editor further includes a

system responsive to user activation of the resource category selection object for generating a list

of resource descriptors corresponding to the selected category. The software system may be

customized to perform functions statically or dynamically while the application is running

[abstract]. Although Swanson teaches the invention substantially as cited above, they do not

specifically teach that the client device is a special device. Jawahar et al. teaches a telephony

system that interacts with a sever [note: figure 2, telephony application (74); figure 5 (174); figure

7A (216), also see col. 3 line 34 through col. 4 lines 62]. It would have been obvious to one of

ordinary skill at the time of the invention to have combined Jawahar et al with Swanson both

references teach alternate means of communicating and Swanson depicts a special device such as

a telephone.

8.   Regarding claim 3: wherein a second method is executed on said

first result to produce a second result [col. 10 lines 25-30; col. 11 lines 4-8].

9.   Regarding claim 4: wherein each of said methods comprises a

transaction whereby a set of transactions are built up and executed by interacting with

said display, with the results of each transaction being sequentially displayed, and

becoming the basis for the next operation in the sequence of transactions [col. 5 line 58 through

col. 6 line 21; col. 7 lines 4-21].

10.   Regarding claim 5: wherein said first method comprises an update

of a record [note radio buttons for modifying file col. 15 lines 38-60; col. 24 lines 48-60 note

"*change the values*"; also note cover figure *element (570)* "property_update"].

11.   Regarding claim 6: wherein said first method comprises a

summation of records [note custom interface col. 14 lines 17-37].

12.   Regarding claims 7 and 8: wherein said first method comprises selection of a record

having a particular attribute.. .. wherein said attribute is minimum value [col. 11 lines 9-54].

13.   Regarding claim 9: wherein said second method comprises on

update of a record [col. 24 lines 48-60].

14.   Regarding claim 10: wherein said second method comprises a

summation of records [col. 14 lines 17-37 custom interface].

15.   Regarding claim 11: wherein said second method comprises

selection of a record having a particular attribute [col. 14 lines 17-37].

16.   Regarding claim 12: wherein said attribute is minimum value [custom interface col. 14

lines 17-37].

17.   Regarding claim 13: A method comprising the steps of

providing a special device with stored software comprising a graphical

user interface and agent/messenger software, said software enabling said device to

access data at one or more remote sites; and

executing a sequence of transactions upon said data on a display screen

of said special device via visual user interaction with said screen [figure 17; also note citations

under claim 1].

18.   Regarding claim 14: wherein said software provides user selection of a data object

category, selection of such category resulting in display of a list of

data objects available on the system [abstract].

19.   The limitations of claims 15-19 have been addressed above; therefore they are rejected

under the same rationale.

20.   Regarding claim 20: wherein said search is conducted on heterogeneous data stored across

a plurality of sites [col. 5 lines 6-67].

21.   Regarding claim 21: wherein said sequence of transactions further includes a sort on the

results of said search with immediate display of the results of 3 said sort on the display of said

special device [note "filter window 1460" see col. 18 lines 30-37; also note figure 12].

22.   Regarding claim 22: wherein said special device is a palm held device [col. 5 lines 6-24].

23.   The limitations of apparatus claim 25 parallel method claim 1; therefore it is rejected under

the same rationale.

24.   The limitations of computer program code claims 27 and 28 parallel method claims 13 and

14 (respectively); therefore they are rejected under the same rationale.

25.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swanson US Patent

5,603,034 and Jawahar et al. US Patent 6,256,620 B1 as applied to claim 1 above, and further in

view of Hogan et al. US Patent 5,414,809.

        Regarding claim 2, Swanson and Jawahar do not teach "wherein said user selection is

achieved by a point and touch operation executed on the graphical interface display". Swanson

teaches a point and click operation. Hogan et al teaches a pointing device 26 that may be

implemented as a touch screen display [see col. 3 lines 21-32]. It would have been obvious to one

of ordinary skill at the time of the invention to have combined Hogan et al with Swanson and

Jawahar because Hogan et al. depicts how alternate keyboarding methods or visual means of

selecting information may be implemented to quicken the processing task.

26.   Claims 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Swanson US Patent 5,603,034 in view of Tsukahara et al. US Patent 6,169,991 and Hogan et al.

US Patent 5,414,809.

Regarding claim 23, Swanson teaches "means for executing a sequence of transactions

upon said display screen via visual point and touch interaction with said screen, each transaction

of said sequence being based on the result of execution of a previous transaction and wherein at

least one of said transactions is executed upon data stored across a plurality of remote storage

locations [figure 9; also note citations under claim 1]. Although Swanson teaches the invention as

cited above, they do not teach a special device having a display screen. Tsukahara teaches a client

device with a display screen [note (98) figure 18]. It would have been obvious to one of ordinary

skill at the time of the invention to have combined Tsukahara with Swanson because Tsukahara

provides an alternate method of communicating with the network. Swanson and Tsukahara are

silent as to a touch interaction with the screen. Swanson teaches a point and click operation.

Hogan et al teaches a touch screen method [see col. 3 lines 21 -32]. It would have been obvious

to one of ordinary skill at the time of the invention to have combined Hogan et al with Swanson

because Hogan et al. depicts how alternate well known keyboarding methods may be

implemented.

27.   Regarding claim 24: wherein one of said transactions comprises

user selection of a data object category, selection of such category resulting in display

of a list of available data objects [Swanson abstract].

28.   Regarding claim 26: wherein said user selection is achieved by a point and touch operation

executed on the graphical interface display [Hogan col. 3 lines 21 -32].

Response to Arguments

29.   <u>In the response Applicant argued the following</u>:

        (1) Swanson does not teach a special device. Applicant's invention defines a special device

as a cell phone, palm laptop, set-top, or car-based GPS system.

        In response to Applicants argument, <u>note new rejection supra</u>. Note Swanson teaches a

communication with a client application 110 to be located at a remote cite or within the data

processing system 10 [see: col. 5 lines 21-27 and 48-52; also see figure 1].

        (2) The data objects of the present invention are different from the data objects of

Swanson. Applicants data objects are defined as data to be retrieved and subjected to a method in

a script. These objects may include data stored in different types of database systems or other data

containers noting the specification at page 2 lines 13-15 and 26-27.

In response to Applicants argument, Swanson teaches data objects as noted on page 2 of

the specification and as cited within the scope of the claims. The *"data object category"* of the

present invention is equivalent to Swanson's *"resource category selection object"* see abstract,

col. 3 lines 54-65, col. 10 lines 29-61. Note the limitation of objects being processed by a script is

not in the claims.

(3) Swanson does not teach a point and touch operation.

In response to Applicants argument, Swanson does not specifically teach a point and

touch operation; but rather a point and click process [col. 1 line 34-37]. Swanson does teach that

the user may specify commands such as through setting options through a customization process

[see col. 9 lines 20-48]. Note new citation supra regarding point and touch operation.

30.   Applicant's arguments with respect to claims 1-28 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

31.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

32.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Greta Robinson whose telephone number is (703)308-7565. The examiner

can normally be reached Monday through Friday from 9:30 AM to 6:00 PM.

If any attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene, can be reached at (703)305-9790.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703)746-7239, (for formal communications; please mark "EXPEDITED

PROCEDURE") **Or:** (703)746-5657, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2021 Crystal Drive,

Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (703)305-9600.

Greta Robinson

Primary Examiner

August 14, 2002